

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 250/2009

Coram:

1. Dr. Pramod Deo, Chairperson
2. Shri S. Jayaraman, Member
3. Shri V.S.Verma, Member

Date of Hearing: 14.1.2010

Date of order:19.1.2010

In the matter of

Seeking reimbursement of additional expenditure towards deployment of special security forces (CISF) at Wagoora sub-station for the year 2008-09 in Northern Region.

And in the matter of

Power Grid Corporation of India Ltd. **Petitioner**

Vs

1. Rajasthan Rajya Vidyut Prasaran Nigam Ltd., Jaipur
2. Ajmer Vidyut Nigam Ltd, Jaipur
3. Jaipur Vidyut Vitran Nigam Ltd., Jaipur
4. Jodhpur Vidyut Vitran Nigam Ltd., Jaipur
5. Himachal Pradesh State Electricity Board, Shimla
6. Punjab State Electricity Board, Patiala
7. Haryana Power Generation Corporation Ltd., Panchkula
8. Power Development Department, J&K
9. Uttar Pradesh Power Corporation Ltd., Lucknow
10. Delhi Transco Ltd., New Delhi
11. BSES Yamuna Ltd., New Delhi
12. BSES Rajdhani Power Ltd., New Delhi
13. North Delhi Power Ltd., New Delhi
14. Chandigarh Administration, Chandigarh
15. Uttaranchal Power Corporation Ltd., Dehradun
16. North Central Railway, Allahabad
17. New Delhi Municipal Council, New Delhi **Respondents**

The following were present:

1. Shri U.K. Tyagi, PGCIL
2. Shri M.M.Mondal, PGCIL
3. Shri R.Prasad, PGCIL
4. Shri S.K.Niranjan, PGCIL
5. Shri Mohd. Mohsin, PGCIL

ORDER

The petitioner has filed this petition seeking reimbursement of additional expenditure incurred towards deployment of special security forces at Wagoora sub-station located in the State of Jammu and Kashmir, during the year 2008-09 in Northern Region.

2. It has been stated that, the assets such as control rooms, stores, residential buildings and equipment like Auto transformers, circuits breakers, panels, etc worth crores of rupees need round-the-clock guarding at Wagoora sub-station, being under constant threat of militancy and terrorism. In order to counter the threat, the petitioner has deployed Central Industrial Security Force (CISF) at Wagoora sub-station as the local police has shown its inability to provide the necessary security. The petitioner has stated that continued deployment of the CISF is also required to give a sense of security/safety to the personnel working in the area. In support of requirement of CISF at Wagoora sub-station and the fact that militancy related incidents in the Kashmir Valley have not completely abated, the petitioner has placed on record cuttings from the newspapers.

3. To sum up, the petitioner has submitted following justification for deployment of CISF at Wagoora sub-station, namely:

- (i) To avoid damage to the Government property, assets associated with Wagoora sub-station, which need round the clock guarding;

- (ii) Lurking apprehensions that miscreants may damage some of the equipment at any point of time; and
- (iii) To guard against any militant/sabotage activity at the sub-station which may totally disrupt evacuation of power from Uri Hydroelectric Project, located in the State of Jammu and Kashmir to the beneficiaries in Northern Region.

4. The petitioner has based its claim on Regulations 12 and 13 of the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2004 (the regulations) which empower the Commission to make appropriate provisions for removing difficulties and relax the provisions thereof in appropriate cases.

5. The petitioner has submitted the following break up of the additional security expenditure incurred during the year:

S.No.	Description	(Rs. in lakh)
1.	Salary	295.98
2.	Medical	5.20
3.	Vehicle expenses	2.43
4.	Uniform	6.41
5.	Others	5.22
	Total	315.24

6. The petitioner's claim for reimbursement of the expenses is supported by auditors' certificate dated 13.5.2009. None of the respondents has filed reply.

7. We have considered the submissions made. While laying down norms for O & M expenses in the regulations, abnormal security expenses were excluded on the understanding that such expenses could be considered on case-to-case basis. On perusal of the evidence placed on record by the petitioner, we are satisfied that the expenditure incurred by the petitioner on making special security arrangements at Wagoora sub-station for the reasons beyond its control was justified and in the overall interest of security of the Northern Regional grid. Therefore, in our view, the petitioner is entitled to reimbursement of the expenses incurred.

8. We, in exercise of power under Regulation 13 of the regulations and in relaxation of the provisions thereof, direct that the expenses for the year 2008-09 as claimed by the petitioner shall be reimbursed by the respondents. Accordingly, expenses shall be shared by the respondents in the ratio applicable for sharing of the transmission charges for Uri Transmission System, approved by the Commission vide its order dated 23.11.2005 in Petition No. 100/2004 for the year 2008-09.

9. With this order, the present petition stands disposed of.

Sd/-
(V.S.VERMA)
MEMBER

sd/-
(S.JAYARAMAN)
MEMBER

sd/-
(DR.PRAMOD DEO)
CHAIRPERSON